

**CTTAB**  
**March 14, 2006 Minutes**  
City of Seattle, Seattle Municipal Tower  
27<sup>th</sup> Floor, 700 – Fifth Avenue, Seattle, WA 98104

<b>Present</b> Todd Achilles Leah Altaras Bill Baron Charles Brennick Maryann Budlong Paul Green Harry Hart, III Pwint Htun Damien Koemans Andrea Lee Huat Chye Lim Jerry Lin Manny Ovena Ann Robinson Shivani Tejuja  <b>Excused</b> Nina Sanders	<b>Visitors</b> Ken Meyer Robert Hill Patricia Johnson-Holme Mike Schup  <b>Staff</b> David Keyes Jill Novik Tony Perez Bill Schrier
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**1. Announcements, Agenda Approval; Review of Minutes:**

The February 7, 2006 minutes were approved as written. Chair Budlong provided an opportunity for public comment. Three people addressed issues related to SCAN.

**2. Board Business:**

Bill Baron presented a draft CTTAB response to the Comcast franchise (attachment 1). Paul Green presented a “statement of principles” for inclusion into the response (attachment 2). Discussion centered on whether it is within the purview of CTTAB to address larger union issues; whether the newly created language in the “principles” section adequately addresses the issue; and timeliness of CTTAB’s response to City Council. Baron also distributed a citizen submitted letter (attachment 3), which CTTAB did not include.

*Action: Approve and transmit to Council the letter as drafted and amended and return to the subject for further discussion at the April meeting.*

SeaStats committee: Pwint Htun said that the committee would like to hold a public meeting to get comment on the next phase of the project.

Community technology: David Keyes announced that the Technology Matching Fund workshop was well attended and the deadline for the 2006 TMF applications is March 20, 2006.

**3. Adjourn:** The meeting was adjourned at 8:13 p.m.

Attachment 1: CTTAB Draft Comcast Franchise Response



**City of Seattle**  
**Citizens' Telecommunication and Technology Advisory Board**  
**Dept. of Information Technology, 700 Fifth Avenue, Key Tower, Suite 2700**  
**P.O. Box 94709, Seattle, WA 98124-4709**  
**[www.seattle.gov/CTTAB](http://www.seattle.gov/CTTAB)**

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**DRAFT MARCH 9, 2006**

Seattle City Council Seattle City Hall PO Box 34025 Seattle, WA 98124-4025	Mayor Greg Nickels Office of the Mayor PO Box 94749 Seattle, WA 98124-4749
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Re: Proposed Comcast Agreements

Under our chartering legislation (SMC 21.60.060), CTTAB is charged with various duties regarding cable television franchises, such as conducting hearings, studying the proposed franchise and related agreements, and making recommendations to the City Council and the Mayor.

CTTAB has been engaged in the franchise renewal process for more than twelve months. At each of our monthly meetings, staff from the City's Cable Office attended and participated. In addition, the Director of the Department of Information Technology attended most of our meetings to present updates on the Department's activities. Through these meetings, we were consulted on the draft needs assessment process, including the telephone survey and the online survey. As part of our citizen outreach program, we co-sponsored 19 meetings with citizens, user groups, government representatives, and elected officials. Participants ranged in age from middle school students to seniors. We also co-sponsored a well-publicized public meeting for all residents, which was televised on the Seattle Channel.

As a citizens' board, a primary concern has been to assure that citizens' concerns were reflected in the Draft Needs Assessment Report and that those concerns were considered during the franchise negotiations. We conclude that the following concerns are successfully addressed in the proposed agreements with Comcast:

- Discounts for low income seniors and the disabled
- More *digital* PEG channels and bandwidth
- More local programming of community interest
- Diversity in Comcast's work force
- Support for the public access TV channel
- Enhancement of the Seattle Channel

- A state of the art system capable of delivering advanced services to Seattle and its citizens

We conclude that the following concerns are not successfully addressed in the proposed agreements with Comcast, due to the stated reasons:

- Competition between cable operators – Despite City encouragement, no cable operator has chosen to compete with Comcast in most of Seattle. Nothing in the previous or proposed franchise agreement would prohibit competition. In fact, such a provision would be contrary to Federal law.
- Lower cost TV and Internet – The City is prohibited by Federal law from negotiating for lower prices, though it has some regulatory authority over the Basic Services Tier.

We believe the City has been creative in responding to the challenges posed by the rapid rate of change in telecommunications law and technology. In particular, we agree that Federal legislation might soon eliminate the City's local franchise authority. So negotiating a long-term agreement with large upfront payments is sensible. Further, the City has done a good job of looking into the crystal ball of technological change and negotiating a contract that makes reasonable accommodations for the future. Specifically, we note the provisions for sixteen PEG channels. Of those, the City can require that four channels have bandwidth adequate for HDTV and interactive programming, if Comcast decides to implement those technologies.

We also note with approval that the agreements provide significant funding for two innovative programs, ArtsZone and the Democracy Portal, and help facilitate continued funding for SCAN, the public access channel.

We recommend that the City Council approve the proposed legislation and that the City enter into the proposed agreements with Comcast.

Very truly yours,

Chairperson, CTTAB

## Attachment 2: Statement from Paul Green

### Section 3. Definitions

add definition of "union labor" as described in Sec 3.(K) - An organization of wage earners formed for the purpose of serving the members' interests with respect to wages and working conditions.

Section 18.1.(A) - 2nd sentence- Grantee will make affirmative efforts to ensure that applicants are employed, and that employees are treated during employment, without regard to their..."participation in a workers' organization."

Attachment 3: Statement submitted by Chris Leman

Mr. Baron, Ms. Budlong, and Ms. Novik--

It was good to see you at Wednesday's City Council Energy and Technology committee meeting. Because CTTAB will not be taking oral public comment tonight, I am submitting the written comments below that I hope you will convey to the CTTAB members. The ten-year Comcast refranchise that now faces CTTAB and the City Council poses some very important and irreversible choices, and CTTAB should not rush into a recommendation tonight, but rather undertake further study and consultation as more analysis and debate occur between now and your April 11 meeting.

(1) One issue that we will hear debated in the next month is whether the franchise proposal provides enough funds for SCAN and independent producers. While Rona Zevin came on very strong on Wednesday in arguing that the funds provided will be an increase, SCAN and the independent producers do not see it that way, and it is likely that the City Council will put some more funds in for them. CTTAB should not take sides on this issue until it hears more from both sides, such as we will hear at the March 30 public hearing.

(2) A legal and policy issue now getting some much-delayed analysis by City Council staff is whether Channel 21 as a government access channel should commit to providing 20 hours a week as an "Arts Zone." If arts and cultural programming does not demonstrably improve citizens' access to government, is it a legitimate negotiating point for a government access station? Is it legal or desirable for Channel 21 to single out Comcast as announced sponsor of this programming for the next ten years, when Comcast would get this status because it has a City-granted monopoly rather than as a purchaser that other potential sponsors could compete against? We will soon have some useful analysis from City Council staff, independent producers, and public interest advocates, and CTTAB will benefit from their input before finalizing its position.

(3) In any position that it takes now or in April, CTTAB should make it clear that it is not necessarily endorsing the allocation of Thursday, Friday, and Saturday evenings to arts rather than government access programming. Tony Perez tells me that when the 20 Art Zone hours would be aired is not addressed in any of the proposed agreements with Comcast. This is a separate question, to be independently decided by City government. CTTAB should ensure that this question is not prematurely decided in the franchise, but through a more deliberate process in which CTTAB's considered input will matter. More in-depth examination of Channel 21's performance and potential in improving citizens' access to government should also be undertaken by CTTAB's e-Government subcommittee.

(4) CTTAB should not make its final recommendations regarding the Comcast refranchising agreement until its April 11 meeting. According to the City Council's web site, the Energy and Technology committee will not be meeting again until April 12. The City Council will still get full benefit from CTTAB's advice, and CTTAB's own deliberations will benefit from the public input at the sole public hearing that will be on March 30. CTTAB could still present some testimony at the March 30 hearing, but it would be better to state some questions and principles rather than attempt to state a firm position. City Council staff right now are preparing analyses that will be very helpful in identifying issues about the executive branch proposal, and some City Councilmembers are likely to make proposals that CTTAB will want to know about before developing its final position. These City Council proposals will mostly be available at the April

3 City Council Briefings meeting at which CTTAB may be an invited participant. There will be time for CTTAB's franchise subcommittee to meet again prior to the April 11 CTTAB meeting.

(5) CTTAB and its subcommittee have for the past year heard from City staff who are advocates for the proposal, but not enough from independent producers and public interest advocates, many of whom have become aware of the proposals only in the last few weeks and are only now developing their analyses and responses. CTTAB and its subcommittee will benefit from this input before adopting a final position on the franchise agreement.

(6) If CTTAB is determined to adopt some kind of position tonight, it should be issued only as a draft for comment. A CTTAB draft position could be presented as such at the March 30 hearing, but be subject to possible revisions and final vote at CTTAB's April 11 meeting.

Thanks for your consideration. On behalf of the Seattle Community Council Federation, as a volunteer for many years I have been advocating for improvements in how Channel 21 provides citizen access to government. I will send more information for CTTAB's consideration in the coming weeks as it becomes available.

Chris Leman  
85 E. Roanoke Street  
Seattle, WA 98102-3222  
(206) 322-5463  
[cleman@oo.net](mailto:cleman@oo.net)